

1 Sean J. Richardson-Bey

2 Post Office Box 8800

3 Corcoran, California Republic 93212

4 CDCR No. T18961

5 In Propria Persona

FILED

Apr 18, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 1:22-cv-00447-BAM(PC)

11 Sean J. Richardson-Bey,

12 Plaintiff,

13 v.

14 Celia Bell, John Doe, John

15 Doe, John Doe, Jane Doe,

16 Jane Doe,

17 Defendants.

Civil Rights Action
42 U.S.C. § 1983

18
19 I. JURISDICTION

20 1. This is a civil action pursuant to 42 U.S.C. § 1983 to redress the deprivation of
21 rights under color of state law secured by the Constitution for the
22 United States of America Republic (North America). The court has juris-
23 diction under 28 U.S.C. §§ 1331 & 1343(a)(3). Plaintiff seeks declaratory relief
24 pursuant to 28 U.S.C. §§ 2201 & 2202. Plaintiff's claims for injunctive re-
25 lief are authorized by 28 U.S.C. §§ 2283 & 2284 and Rule 65 of the Federal
26 Rules of Civil Procedure.

27 2. VENUE

28 2. The Eastern District is an appropriate venue under 28 U.S.C. § 1391

1 (b)(2) as it is where events giving rise to this claim occurred.
 2 3 PARTIES

3 3. Plaintiff, Sean J. Richson-Bey, Natural Person, Human, Flesh
 4 and Blood Being, Moorish-American National, Indigenous, Aboriginal
 5 to the Americas, In Propria Persona, Sui Juris, Reserving All My Rights;
 6 prisoner at California State Prison-Corcoran.

7 4. Defendant, Celia Bell, is Chief Executive/Medical Officer of Cali-
 8 fornia Correctional Health Care Services (CCHCS) at California State
 9 Prison-Corcoran.

10 5. Defendant, John Doe, is a nurse employed by California Corr-
 11 ectional Health Care Services at California State Prison-Corcoran.

12 6. Defendant, John Doe, is a nurse employed by California Correct-
 13 ional Health Care Services at California State Prison-Corcoran.

14 7. Defendant, John Doe, is a nurse employed by California Correctional
 15 Health Care Services at California State Prison-Corcoran.

16 8. Defendant, Jane Doe, is a nurse employed by California Correction-
 17 al Health Care Services at California State Prison-Corcoran.

18 Defendant, Jane Doe, is a nurse employed by California Correctional
 19 al Health Care Services at California State Prison-Corcoran.

20 4. STATEMENT OF FACTS

21 10. On November 9, 2021 I attended turn around appointment at Bakers-
 22 field Golden Eye Center for follow-up eye specialist care after pre-
 23 liminary diagnostic disclosed two cornea abrasions to right eye where
 24 specialist discovered retinal tears in both eyes. On November 14, 2021
 25 I was approached at cell front by Security & Escort Officer Chacon
 26 inquiring if I would undergo covid-19 testing to which I negatively
 27 replied. Soon after her departure I was approached by 3C01 Floor
 28 Officer Wright indicating per communication from (CCHCS)

1 Covid-19 Command Center (unidentified) personnel I was to be
 2 quarantined for twenty-one days, commencing immediately,
 3 for failing to test notwithstanding failure to provide notice
 4 of cause for testing, adherence to covid-19 guidelines/protocol,
 5 or administering agent(s) to engage with me directly.
 6 Upon information and belief nursing staff filed refusal form
 7 qualifying me for quarantine that I had purportedly refused to
 8 sign.

9 11. December 14, 2021 I attended follow-up care at Golden Eye Center,
 10 turn around appointment. On December 17, 2021 I was approached
 11 by nurse accompanied by 301 Floor Officer inquiring if I
 12 would test. I requested notice of cause to which unidentified
 13 nurse claimed not to know. I refused. Shortly after departure
 14 I was summarily quarantined, reportedly per (CCHCS) personnel
 15 for refusing testing, for twenty-one commencing immediately.
 16 Upon information and belief nursing staff filed refusal form qualifying
 17 me for quarantine that I had purportedly refused to sign.

18 12. On February 22, 2022 I attended Golden Eye Center, turn around
 19 appointment, and received laser treatment to repair torn retina
 20 in right eye. On February 27, 2022 I was approached at cell front by
 21 unidentified nurse accompanied by 301 Floor Officer (Bright) inquiring
 22 if I would covid-19 test. I requested cause to which nurse
 23 claimed not to know. I requested refusal form to note my
 24 consent to test under protest due to previous encounters
 25 resulting in quarantine. Nurse retired purportedly to determine
 26 cause of testing and returned without form claiming,
 27 falsely, to have discovered cause for testing was an impending
 28 court date thereby gaining my consent without further

1 ther protest. Plaintiff discovered via 3001 Floor Officer
 2 Wright, et al., and Correctional Counselor (CC1) Patterson
 3 there was no such date pending.

4 13. On March 15, 2022 I attended turn around appointment at
 5 Golden Eye Center for follow-up care. On March 20, 2022 I was
 6 approached at cell front by unidentified nurse accompanied
 7 by Security & Escort Officer Ibarra inquiring if I would covid-
 8 19 test. I requested cause and informed due to aforesaid
 9 appointment. I requested refusal form to document consent
 10 under protest prior to compliance.

11 14. On March 20, 2022 I was approached by unidentified nurs-
 12 ing staff inquiring if I would covid-19 test. I requested re-
 13 fusal form whereby I documented events recounted in para-
 14 graph 13 after learning cause for testing was same and
 15 thereafter refusing consent.

16 15. On September 20, 2021, November 4, 2021, November 7, 2021, and occa-
 17 sions not forementioned, I notified California Correctional Health
 18 Care Service/Administrative authorities via Inmate Request for
 19 Interview, Health Care Services Request, and Public Declaration of Ex-
 20 emption From Unlawful Demand for Medical Tests, Screenings, Vac-
 21 cinations and Immunizations conflicting with religious belief, exer-
 22 cise, practice and liberties as Moorish-American Moslem/National.
 23 On November 14, 2021, December 17, 2021, February 28/March 1, 2022,
 24 and March 20, 2022 via administrative Health Care grievances
 25 I notified CCHCS administrative authorities of abuses and
 26 violations of my right to medical care who have here-to-
 27 fore been non-responsive, Celia Bell being Chief Executive/
 28 Medical Officer of CCHCS; along with violation(s) of my

1 religious beliefs and practice(s) as Moorish-American Moslem.
2 5. CLAIM(S) FOR RELIEF

3 16. Plaintiff realleges and incorporates by reference paragraphs
4 1 through 15.

5 17. Celia Bell's nonresponse/inaction to complaints filed consti-
6 tuted deliberate indifference to Plaintiff's right to medical
7 care under the Eighth Amendment of the Constitution for
8 the United States of America Republic (North America) and
9 the 1836 United States-Morocco Treaty of Peace and Friend-
10 ship (8 Stat. 484 & Pub. L. 857).

11 18. Celia Bell's non-response/inaction to complaints filed consti-
12 tuted deliberate indifference to Plaintiff's religious pract-
13 ice under the First Amendment to the Constitution for the
14 United States of America Republic (North America) and the
15 1836 United States-Morocco Treaty of Peace and Friendship
16 (8 Stat. 484 & Pub. L. 857).

17 19. John Doe's quarantine of Plaintiff for failing/refusing COVID
18 19 testing constituted a violation of right to medical care
19 under Eighth Amendment of Constitution for United
20 States of America Republic (North America) and the 1836
21 United States-Morocco Treaty of Peace and Friendship
22 (8 Stat. 484 & Pub. L. 857). (Note: Unlawful demand for testing 14-14-21)

23 20. John Doe's quarantine of Plaintiff for refusing unlawful
24 demand for testing constituted violation of religious belief
25 and practice under the First Amendment of the Constitution
26 for the United States of America Republic (North America) and
27 the 1836 United States-Morocco Treaty of Peace and Friend-
28 ship (8 Stat. 484 & Pub. L. 857). (14-14-21)

21. John Doe's quarantine of Plaintiff 12-17-21 for refusing unlawful demand for covid-19 testing constituted violation of right to medical care under the Eighth Amendment of the Constitution for the United States of America Republic (North America) and the 1836 United States-Morocco Treaty of Peace and Friendship (8 Stat. 484 & Pub. L. 857).

22. John Doe's quarantine of Plaintiff 12-17-21 for refusing unlawful demand for covid-19 testing constituted violation of religious belief and practice under First Amendment of the Constitution for the United States of America Republic (North America) and the 1836 United States-Morocco Treaty of Peace and Friendship (8 Stat. 484 & Pub. L. 857).

23. Jane Doe's procurement 2-27-22 from Plaintiff of covid-19 testing sample by fraud constituted a violation of right to medical care under Eighth Amendment of Constitution for United States of America Republic (North America) and the 1836 United States-Morocco Treaty of Peace and Friendship (8 Stat. 484 & Pub. L. 857).

24. Jane Doe's procurement 2-27-22 from Plaintiff of covid-19 testing sample by fraud constituted violation of religious belief and practice under First Amendment of Constitution for the United States of America Republic (North America) and the 1836 United States-Morocco Treaty of Peace and Friendship (8 Stat. 484 & Pub. L. 857).

25. Jane Doe's procurement 2-27-22 from Plaintiff of covid-19 testing sample ~~constit~~ by fraud constituted unlawful search and seizure under Fourth Amendment of Constitution for the United States of America Republic (North America) and the 1836

1 United States-Morocco Treaty of Peace and Friendship (8 Stat.
2 484 & Pub.L. 857).

3 26. Jane Doe's procurement 2-27-22 from Plaintiff of Covid-19
4 testing sample by fraud constituted violation of Due Process
5 under Fifth Amendment of the Constitution for the United
6 States of America Republic (North America) and the 1836
7 United States-Morocco Treaty of Peace and Friendship (8 Stat.
8 484 & Pub.L. 857).

9 27. Jane Doe's procurement 3-20-22 from Plaintiff of Covid-19
10 testing sample under protest constituted violation of right
11 to medical care under Eighth Amendment of Constitution
12 for the United States of America Republic (North America) and the
13 1836 United States-Morocco Treaty of Peace and Friendship
14 (8 Stat. 484 & Pub.L. 857).

15 28. Jane Doe's procurement 3-20-22 from Plaintiff of Covid-19
16 testing sample under protest constituted violation of religious
17 belief and practice under First Amendment of Constitution for
18 the United States of America Republic (North America) and the
19 1836 United States-Morocco Treaty of Peace and Friendship
20 (8 Stat. 484 & Pub.L. 857).

21 29. Jane Doe's procurement 3-20-22 from Plaintiff of Covid-19
22 testing sample under protest constituted unlawful search
23 and seizure under Fourth Amendment of the Constitution for
24 the United States of America Republic (North America) and
25 the 1836 United States-Morocco Treaty of Peace and Friend-
26 ship (8 Stat. 484 & Pub.L. 857).

27 30. Jane Doe's procurement 3-20-22 from Plaintiff of Covid-19
28 testing sample under protest upon unlawful demand consti-

1 total violation of Due Process under the Fifth Amendment of
 2 the Constitution for the United States of America Republic
 3 (North America) and the 1836 United States-Morocco
 4 Treaty of Peace and Friendship (8 Stat. Pub.L. 857).

5 31. John Doe's quarantine 11-14-21 without notice for refusing
 6 unlawful demand for testing constituted violation of Plaintiff
 7 FF's right to due process under the Fifth Amendment of the
 8 Constitution for the United States of America Republic (North
 9 America) and the 1836 United States-Morocco Treaty of Peace
 10 and Friendship (8 Stat. 484 & Pub.L. 857).

11 32. Celia Bell's non-response/inaction to complaint filed consti-
 12 tuted deliberate indifference to Plaintiff's Due Process rights
 13 under the Fifth Amendment to the Constitution for the Uni-
 14 ted States of America Republic (North America) and the 1836
 15 United States-Morocco Treaty of Peace and Friendship (8 Stat. 484
 16 & Pub.L. 857).

17 6. PRAYER FOR RELIEF

18 Wherefore, the Plaintiff respectfully prays this court enter, against
 19 each Defendant in their official and individual capacities, gra-
 20 nting Plaintiff:

21 33. A declaration that acts and omissions described herein violated
 22 Plaintiff's religious rights as a Moorish-American Moslem and
 23 does not serve a compelling Governmental interest;


24 34. Injunctive relief terminating practice of unlawful demand
 25 for testing;

26 35. Compensatory damages in amount of Two Million and Five
 27 Hundred Thousand dollars against each defendant, jointly and
 28 severally;

- 1 36. Punitive damages in amount of Two Million and Five
- 2 Hundred Thousand dollars against each defendant, jointly
- 3 and severally;
- 4 37. A declaration of the rights of the Plaintiff;
- 5 38. A jury trial on all issues triable by jury;
- 6 39. Plaintiff's costs in this suit;
- 7 40. Any additional relief this court deems just, proper, and
- 8 equitable.

9
10 I declare under the penalty of perjury under the laws
11 of the United States of America Republic (North America)
12 that the foregoing is true and correct.

13
14 Executed on this 10th day of April, 2022, at California
15 State Prison-Corcoran,

16
17 BY: 
18 Sean J. Richardson
19 In Propria Persona
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